

TO: Steve Gravini - Art Unit 3749

RE: Application Number 10/684,312

Steve –

I left you a voicemail regarding this. There is a possibility that an after-final response that I mailed last week was missing page 14. Today, I am mailing out a supplemental response that is identical to the original filing to ensure that the whole response at least makes it into the record.

In parallel, to make sure that this does not delay your processing of the response, I have faxed the missing page (attached) in case you need it before the full 19-page submission arrives. Again, the response being sent is identical to the original filing plus this missing page.

Please call me if you have any questions or if the fax does not come through adequately.

Thanks.

- Frank McKiel (719) 482-8464

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and 3. Also in the '828 patent, see col 2:9-12, col 4:19-25 and col 4: 49-54 thoroughly instructing an end user in how to employ the assortment of available panels in variable construction of a side of the enclosure to achieve desired results.

The providing of plurality of panels from which a user may select in constructing a side is a key attribute in the manufactured kit that enables "user selectable variable construction" – an attribute for which written description abounds in Applicant's teachings.

In the '828, which was written in the form of an end user instruction manual, see also the following directives:

(col 3: line 27 et seq.) "To use as an oven...select a seven inch (7) panel...slide the flanged end of panel (7) downward into the groove provided..."

Clearly, the user selects and constructs – this being enabled by the plurality of available interchangeable panels and facilitated by a joint design that allows for variable position of attachment during construction by the end user.

Similarly in these instructions, see also:

(col 3: line 41 et seq.) "For additional cooking height...add the two, two inch panels..."

(col 4:line 5 et seq.) "To use as a grill...select a seven inch (7) panel... slide the flanged end of panel (7) downward into the groove provided, interlocking the two sections to form one corner."

From this it is evident that the end user is the entity performing variable construction and that the providing of a set of various panels from which to choose supports the user's selection of a particular construction adapted to their immediate need. As fully described by Applicant's disclosure, the claimed aspect of "user selectable variable construction" is achieved by features of the invention and those features are manifest as limitations in the present claims.